

REMARKS

Claim 32 has been amended. Claims 2, 4-7, 13, 15-18, 25 and 27-30 have been cancelled, without prejudice or disclaimer. Claims 1, 8-12, 20-24, 26, 31-38 are pending in this application. Claims 1, 12, and 32 are the independent claims.

THE REJECTIONS UNDER 35 U.S.C. §112

Claims 2, 13, 15-18 and 27 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Applicants respectfully traverse this rejection for at least the following reasons.

Claims 2, 13, 15-18 and 27 have been cancelled without prejudice or disclaimer. Accordingly, the rejection of these claims is moot.

Regarding the rejection of claims 4-7 and 28-30, it is noted that these claims have also been cancelled without prejudice or disclaimer. Accordingly, the rejection of these claims is also moot.

THE REJECTIONS UNDER 35 U.S.C. §103

Claims 1, 2, 9, 12, 13, 16, 21, 24-29 and 32-35 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ohno et al., U.S. Publication No. 2002/0024923, in view of Maeda, U.S. Patent No. 5,337,295.

Applicants respectfully traverse this rejection for at least the following reason.

Regarding the rejection of independent claim 1, it is noted that claim 1 recites an information storage medium comprising: a user data area provided with a sequence of basic recording units to record user data, wherein information about the user data area, where user data is recorded, is recorded in at least one of an area right before and an area right after each basic recording unit of the user data area, disposed between successive basic recording units in the user data area, and wherein the basic recording unit of the user data area is a physical cluster, and the information about the user data area is recorded in at least one of a run-in area and a run-out area that is right before and after the physical cluster, respectively.

The Office Action relies on Ohno for the teaching of claims 1, 12 and 32, and in particular relies on FIGS. 1, 6, 7 and paragraphs 18 and 64. However, a detailed review of Ohno discloses an optical information recording medium including a lead-in area (3), a lead-out area (5) and a packet area (4) (paragraph 0056 and FIG. 1). Ohno further discloses that a single packet of the packet area (4) includes 1 link block, 4 run in blocks, 32 user data blocks, 1 address block, 10 dummy blocks and 2 run out blocks (paragraph [0057] and FIG. 2).

Ohno does not disclose or suggest what constitutes a basic recording unit or whether the packets are basic recording units, as recited in claim 1. The only element that appears to remotely resemble a basic recording unit of the user data area is the user data block. However, assuming arguendo that the user data blocks were the basic recording units, Ohno fails to teach or suggest recording user data in at least one of an area right before and an area right after each basic recording unit of the user data area. As illustrated in FIG. 1, Ohno discloses providing run-in blocks before the entire 32 user data blocks as well as providing ADR blocks, or dummy blocks, after the entire 32 user data blocks. In other words, Ohno does not disclose providing user data in an area right before and right after each basic recording unit, as recited in independent claim 1.

Maeda fails to cure the deficiencies of Ohno for at least the following reasons.

The linking sectors, L1-L4, as shown in FIG. 2 of Maeda do **not** correspond to Applicants' claimed "area right before" and "area right after" that are "disposed between successive basic recording units in a user data area" as defined in claim 1. This is because the linking sectors, L1-L4, as shown in FIG. 2 of Maeda, are used to record sub-data, and are actually part of what Maeda describes as a basic recording unit. As shown in FIG. 2, each basic recording unit has a cluster of 32 sectors and 4 linking sectors, totaling 36 sectors, as described on column 9, line 4, and lines 20-21 of Maeda. More importantly, these linking sectors do **not** record "any information about a user data area" as defined in claim 1. In short, neither Ohno nor Maeda discloses Applicants claimed "basic recording unit of the user data area" that is "a physical cluster, and the information about the user data area is recorded in at least one of a run-in area and a run-out area that is right before and after the physical cluster, respectively" as defined in claim 1.

Furthermore, it is noted that neither Ohno nor Maeda, teach or suggest information about the user data area being recorded in at least one of run-in area and a run-out area.

Accordingly, Applicants respectfully assert that the rejection of claim 1 under 35 U.S.C.

§103(a) should be withdrawn because neither Ohno nor Maeda, whether taken singly or combined teach or suggest each feature of independent claim 1.

Furthermore, Applicants respectfully assert that dependent claim 9 is allowable at least because of its dependence from claim 1, and because it includes additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claim 9 also distinguishes over the prior art.

Regarding the rejections of independent claims 12 and 32, it is noted that these claims recite substantially similar subject matter as claim 1. Thus, the rejections of these claims are also traversed for the reasons set forth above.

Regarding the rejection of independent claims 2 and 13, it is noted that these claims have been cancelled without prejudice or disclaimer. Accordingly, the rejection of these claims is moot.

Regarding the rejections of claims 21, 24, 26 and 33-35, it is noted that these claims depend from claims 12 and 32 and are allowable at least because of their dependence from these claims, and because they include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 21, 24, 26 and 33-35 also distinguish over the prior art.

Regarding the rejection of claims 16, 25 and 27-29, it is noted that these claims have been cancelled without prejudice or disclaimer. Accordingly, the rejection of these claims is moot.

Claims 4-8, 10, 11, 15, 17, 18, 20, 22, 23, 30, 31 and 36-39 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ohno et al., U.S. Publication No. 2002/0024923, in view of Ito et al., U.S. Patent No. 5,881,032.

Applicants respectfully traverse this rejection for at least the following reasons.

Claims 8, 10, 11, 20, 22, 23, 31 and 36-39 depend from independent claims 1, 12, and 32, and as noted above, neither Ohno nor Maeda, whether taken singly or combined, teach or suggest the novel features of the independent claims.

Ito fails to cure these deficiencies. Ito discloses an optical disk, as shown in FIGs. 1A-1D, having nothing more than a plurality of storage layers. Information about a user data area, shown in FIG. 11, is recorded in a header of each sector.

As clearly shown in FIG. 11, information about a user data area of Ito is recorded in a header of each basic recording unit, and not in at least one of an area right before and an area right after a basic recording unit of the user data area, as defined in claims 1, 12 and 32.

Ito discloses a well-known composition of a basic recording unit in a user data area, which in the case, is a sector (as shown in FIG. 11) having at least two basic components: (1) a header containing the address uniquely identifying the sector, and (2) a data area in which user data is recorded. Again, as clearly shown in FIG. 11, information about a user data area of Ito is recorded in a header inside a basic recording unit, and not in at least one of an area right before and an area right after a basic recording unit (outside a basic recording unit) of the user data area, as defined in claims 1, 12 and 32.

Accordingly, Applicants respectfully assert that the rejection of claims 8, 10, 11, 20, 22, 23, 31 and 36-39 under 35 U.S.C. §103(a) should be withdrawn because neither Ohno nor Maeda nor Ito, whether taken singly or combined, teach or suggest each feature of independent claims 1, 12 and 32 from which claims 8, 10, 11, 20, 22, 23, 31 and 36-39 depend.

Regarding the rejection of claims 4-7, 15, 17, 18 and 30, it is noted that these claims have been cancelled without prejudice or disclaimer. Accordingly, the rejection of these claims is moot.

CONCLUSION

In view of the foregoing amendments, arguments and remarks, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney at the Washington DC office at (202) 216-9505 ext. 230.

Applicants respectfully reserve all rights to file subsequent related application(s) (including reissue applications) directed to any or all previously claimed limitations/features which have been amended or canceled, or to any or all limitations/features not yet claimed, i.e., Applicants have no intention or desire to dedicate or surrender any limitations/features of the disclosed invention to the public.

Respectfully submitted,

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